



# Merrick County Board Minutes



## **November 21, 2013**

The Merrick County Board of Supervisors met Tuesday, November 21, 2013 at 9:05 a.m. in the Supervisors Room, County Courthouse, Central City, NE, with Graves, Helgoth, Jefferson, Kucera, Weller and Wiegert present. Hahn was absent. Also present was County Attorney Lynelle Homolka.

Notice of the meeting was given thereof by publications in the Republican Nonpareil, The Palmer Journal, and the Merrick County website. Proof of publication is filed in the Clerk's Office. Copies of the agenda were mailed to each Supervisor and kept current and available to the public at the County Clerk's Office.

Chairman Wiegert declared the meeting was preceded by publicized notice and having acknowledged and identified the location of the posting of the current copy of the Open Meetings Act, called the meeting to order and in open session at 9:05 a.m.

Moved Weller, second Graves to convene as Board of Supervisors at 9:05 a.m. Roll Call: All Ayes

**Agenda:** Moved Kucera, second Jefferson to approve the agenda as presented. Roll Call: All Ayes.

**Minutes:** Moved Helgoth, second Graves to approve the minutes from November 12, 2013 as presented. Roll Call: All Ayes.

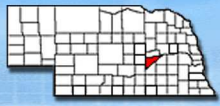
**Meeting reports:** Graves attended a NIRMA meeting in Lincoln and on Wednesday he attended a hospital meeting; Weller attended a Bader Park meeting and handed out to the other Board members a proposal from Pat Carlson and the Platte Peer Group and Weller said that they were working on their budget and that they had a good year; Helgoth attended the Community Service meeting Tuesday at Loup City; Jefferson, Kucera, Helgoth, Weller, and Graves participated in County Government Day; Kucera attended the Extension meeting on Tuesday and on Wednesday attended the Mid Nebraska meeting and they were trying to buy three lots and when one of the owners found out that it was Mid Nebraska trying to buy they refused to sell and now there are discrimination actions being taken; Wiegert attended the Central District Health meeting on Monday night.

**Official's reports:** County Attorney Lynelle Homolka said that County Government Day went well and the Sheriff's Office participated in the mock trial. Homolka said she had done an online continuing education for handbook policies and there were some very good things that she learned. Attorney Homolka said that she would publically like to thank the Central City Police Department, Nebraska State Patrol and especially the Merrick County Sheriff's Office for the team effort in investigating the traffic fatality that occurred on Monday night. As a result, she was able to file charges yesterday and the family of the victim appreciated the timeliness of all of their actions. Homolka said the light in front of Karen's desk has gone out and Denny thinks it is the ballast. Beth Pullen reported that Wayne with Frontier said that the County's phone system is obsolete and there are no parts because they do not make them anymore. The cost for 50 new phones would be \$25,000.00. The switches are full and the County would have to put in another block if someone needs another computer, phone, etc.

**Smoking in and at the entrance of the courthouse:** Kucera said that some people have told her that they can smell smoke in the courthouse and right outside of the entrances. Weller looked in the hand book and it states that there is to be no smoking within 50 feet of the entrances. Pullen said if someone has smoked a cigarette right before entering the courthouse and you passed them you would smell it. Attorney Homolka said that the supervisor of the employee should handle the situation.

**Courthouse roof:** Graves said the roof is leaking in the same area as before in the road department. The gentleman from Stromsburg who did the tuck pointing for the County, said he would work on the new part but did not want to do the old part. Graves said the guy would probably do it if the County hired a boom truck to lift him up. Graves said if it was alright with the Board he would get in touch with the gentleman. The company who did the roof on the new addition came and looked at the new addition and said that leaves in the drains on the new roof are the problem. It is not being maintained properly. Where the new addition meets the old part needs to be redone and the County will have to find someone who would have the material in white because they no longer have white. Graves is to call the gentleman from Stromsburg to fix the old roof. Graves will ask the gentleman from Stromsburg if he would fix the new addition roof too. Helgoth is to call Heins Lawn Service to clean the new roof of the leaves.

**County bonds:** Cody Wickham with D.A. Davidson & Co. presented the Board with an updated copy of figures in relation to the bonds the County has with them. There is a lease to purchase program with NACO and D.A. Davidson & Co. were hired as the underwriters for motor graders, emergency equipment and etc. The building bonds for the hospital were done in 2009 and the call date on them is June 2014 and will be eligible in March for 4.01% with a refund of 3.62% and a due date of 2024. The percentages could change if the rates change between now and June but they feel the rates will hold steady.



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**Electrical agreement:** An Electrical Agreement for Lynn Dawson and Jim Evers for between Section 17 and Section 18, Township 15, Range 5. Moved Graves, second Jefferson to approve the Electrical Agreement for Lynn Dawson and Jim Evers for between Section 17 and Section 18, Township 15, Range 5. Roll Call: All Ayes.

**Interlocal with City of Central City:** An Interlocal Agreement between the City of Central City and the County for among other things, dirt work, and snow removal for the term of November 1, 2013 through October 31, 2014. Attorney Homolka said she thinks this agreement is too vague because there is no price and it says other things. Attorney Steve Curry said it is just an agreement to work together and not a contract. Homolka thought it should go back to the City but she said the Mayor and City Clerk had already signed it. Moved Jefferson, second Graves to enter into the agreement with the City as it is worded now. Roll Call: Ayes: Weller, Kucera, Graves, Jefferson, and Wiegert. Nays: Helgoth.

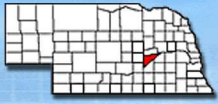
**USA Communications:** Sheriff Campbell told the Board that the Sheriff's Office had problems with dropped calls; no service in past, but now the problem is if they call a cell phone or a cell phone calls them there is a drawn out period of time before there is a connection. Attorney Homolka said the penalty to terminate the contract with USA Communications early is a very large amount of money. The City of Central City has also gone with USA Communication for their service. Campbell said that he could bring in Becky with USA and her supervisor to the Board. Campbell said the Sheriff's Office hasn't even had the phone system for six months and it is very worrisome. Kucera said that they need to bring in the district reps and someone besides sales. Weller asked Campbell about inmate insurance and Graves said NIRMA has some but the deductibles are very high but the costs for the inmates is getting higher also. Weller wants Campbell to check into inmate insurance. Kucera read some concerns some of the offices had with the USA Communications internet service in the courthouse such as slower, sluggish, more down time, and will shut down in the middle of a session. Kucera said this could be part of the discussion when USA comes before the Board to review the phone service.

**RESOLUTION 2013-38:** RESOLUTION 2013-38 states that the Merrick County Chairman and County Board of Supervisors, commencing with the 2015-2018 term, and until such time as the County Board of Supervisors rescinds this Resolution or the same becomes void under the law, the Office of Merrick County Attorney shall be a full time position and the Merrick County Attorney shall devote his or her full time to the legal work of the County and shall not engage in the private practice of law, directly or indirectly, for the entirety of his or her elective term. Attorney Steve Curry voiced his concern with this because he feels by doing this; it would limit who would run for that office. Curry also asked if the Board planned on cutting back on help. Homolka said that she voiced her concerns with this to the Board also. She also said that she could not do without a deputy because she would never have any time off. Curry agreed that there needs to be a deputy. Weller stated that the Board was discussing increasing the salary for the County Attorney position and if this involves a salary increase he feels it would be to the County's best interest. Moved Weller, second Graves to approve and have the Chairman sign RESOLUTION 2013-38 stating that the Merrick County Chairman and County Board of Supervisors, commencing with the 2015-2018 term, and until such time as the County Board of Supervisors rescinds this Resolution or the same becomes void under the law, the Office of Merrick County Attorney shall be a full time position and the Merrick County Attorney shall devote his or her full time to the legal work of the County and shall not engage in the private practice of law, directly or indirectly, for the entirety of his or her elective term. Roll Call: Ayes: Helgoth, Jefferson, Graves, Weller, and Wiegert. Nays: None. Abstain: Kucera. RESOLUTION 2013-38 is on file in the County Clerk's Office for public viewing.

**Elected Official Salaries:** The Board discussed salaries for all of the elected officials and their deputies. Weller had suggested three options for the base salary of 1.5%, 1.75%, or 2.0% increases each year and what percentage of the base salary the County Attorney and their deputy, Sheriff and their deputies, and Surveyor should get. Moved Helgoth, second Kucera to increase the base wage at 2% for \$46,150.00 in 2015 and increase of 2% every year after thru 2018. Roll Call: All Ayes. Moved Kucera, second Helgoth to table RESOLUTION 2013-37 setting the salaries for officials and deputies until the December 10, 2013 meeting so that all changes can be made for the 2% increase of the base salary and the percentages of the base salary for the Supervisors, County Attorney, Sheriff, and Surveyor and they can look it over for approval. Roll Call: All Ayes.

**November 2013 payroll:** The November 2013 payroll was presented to the Board for approval: General: Gross: \$102,407.67 Net: \$73,213.99 Roads: Gross: \$43,927.36 Net: \$28,354.75 Juvenile Diversion: Gross: \$2,331.33 Net: \$2,043.18. Moved Graves, second Jefferson to approve the November 2013 payroll as presented. Roll Call: Ayes: Helgoth, Weller, Jefferson, Graves, and Wiegert. Kucera said Aye to all the ones she signed.

**Adjourn:** Moved Weller, second Jefferson to adjourn at 12:13 p.m. Roll Call: All Ayes.  
/s/Roger Wiegert, Chairman



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/s/Marcia Wichmann, County Clerk